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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,094	02/14/2002	Alejandro R. Holcman	020043	1419

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QUALCOMM, INC  
5775 MOREHOUSE DR.  
SAN DIEGO, CA 92121

EXAMINER
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HALIYUR, VENKATESH N

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/077,094

Applicant(s)

HOLCMAN ET AL.

Examiner

Venkatesh Haliyur

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 2/14/2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>none</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

1. Claims 1 – 24 have been examined.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Grilli et al. [US Pat: 6,438,117].

Regarding claims 1,8,17, Grilli et al. disclosed "Base Station Synchronization For Handover in a Hybrid GSM/CDMA Network", a method and system for handover of a mobile station (item 40 of Fig 4A) from a first base station (item 76 of Fig 4A) in a first cellular communications system (32 of Fig 4A, CDMA) controlled by a first mobile switching control station (item 34 of Fig 4A) to a second base station in a second (item 78 of Fig 4A), different cellular system (item 30 of Fig 4A, GSM) controlled by a second mobile switching control station (item 77 of Fig 4A), and the method of measuring at the mobile station a parameter of a signal transmitted by said first base station, measuring at the mobile station a parameter of a signal transmitted by said second base station, communicating a signal quality message from the mobile station via the first base station to said first mobile switching control station, when the parameters reach a

predetermined condition, generating at the first mobile switching control station information for a channel request message for the second mobile switching control station, communicating the information from said first mobile switching control station to said mobile station, generating at the mobile station from the information from the first mobile switching control station a channel request message for the second mobile switching control station, and communicating the channel request message from the mobile station to the second mobile switching control station [Figs 4A,4B, Fig 13, column 2, lines 8 - 67, columns 3-5, column 6, lines 16-42, columns 12-23, column 24, lines 1-49].

Regarding claims 2-4,9-11,18-20, Grilli et al. disclosed generating at the second mobile switching control station channel information identifying a channel in the second communications system for the mobile station, and establishing communication between said mobile unit and said second base station in the identified channel (air interface) and discontinuing (handover) communication between said mobile unit and said first base station [column 2, lines 31-43, column 3, lines 54-67, column 4, lines 1-13].

Regarding claims 5-7,12-14,21-23, Grilli et al. disclosed the parameter corresponds to signal strength and the first cellular communications system is a CDMA system (32 of Fig 4A, CDMA) and the second cellular communications system is a GSM system (item 30 of Fig 4A, GSM) [column 2, lines 44-61].

Regarding claims 15,16, Grilli et al. disclosed the first transceiver chain is active when the second transceiver chain is inactive and the second transceiver chain is active

when the first transceiver chain is inactive [column 3, lines 4-8].

Regarding claim 24, Grilli et al. disclosed second cellular communication system is a GPRS system [column 13, lines 4-9].

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art in reference here is Grilli et al.

3. Any inquiry concerning this communication or earlier communications should be directed to the attention to Venkatesh Haliyur whose phone number is 571-272-8616. The examiner can normally be reached on Monday-Friday from 9:00AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached @ (571)-272-3134. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2600 or fax to 571-273-8300.

4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

  
**Ajit Patel**  
**Primary Examiner**